

09/423,776

REMARKS

Accompanying this response is an Information Disclosure Statement which makes of record prior art which has come to the Applicant's attention, but was not previously drawn to the attention of the United States Patent and Trademark Office. Also accompanying this response is a check in the amount of \$180 to cover the official fee for late submission of this prior art. The Applicant respectfully requests the Examiner to consider all of this art upon reconsideration of this application.

The Applicant thanks the Examiner for indicating that claims 66-97 are allowed over the art of record.

Claim 98 is rejected, under 35 U.S.C. § 102, as being anticipated in view of Marks `211. The Applicant acknowledges and respectfully traverses the raised anticipatory rejection in view of the following remarks.

In view of the above cancellation of claim 98, the Applicant respectfully submits that further comments concerning the applied prior art of Marks `211 is not believed necessary. The Applicant also notes the remaining prior art cited in the official action. As none of that additional art is applied by the Examiner against the claims of this application, the Applicant is not providing any comments concerning that art as well.

The Applicant respectfully submits that none of the newly uncovered art effects the allowability of claim 66-97. However, in the event that the Examiner believes further amendment to the application is necessary to overcome this art and place this case in allowable form, the Examiner is courteously solicited to contact the undersigned representative of the Applicant to discuss the same.

In view of the above amendments and remarks, it is respectfully submitted that all of the raised rejection(s) should be withdrawn at this time. If the Examiner disagrees with the Applicant's view concerning the withdrawal of the outstanding rejection(s) or applicability of the Marks or any of the new art currently being made of record in this case, the Applicant respectfully requests the Examiner to indicate the specific passage or passages, or the drawing

09/423,776

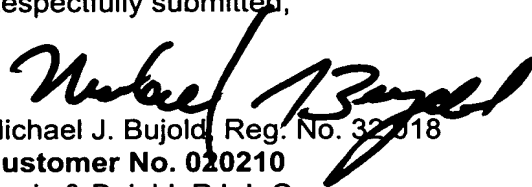
or drawings, which contain the necessary teaching, suggestion and/or disclosure required by case law. As such teaching, suggestion and/or disclosure is not present in the applied references, the raised rejection should be withdrawn at this time. Alternatively, if the Examiner is relying on his/her expertise in this field, the Applicant respectfully requests the Examiner to enter an affidavit substantiating the Examiner's position so that suitable contradictory evidence can be entered in this case by the Applicant.

In view of the foregoing, it is respectfully submitted that the raised rejection(s) should be withdrawn and this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

The Applicant respectfully requests that any outstanding objection(s) or requirement(s), as to the form of this application, be held in abeyance until allowable subject matter is indicated for this case.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,



Michael J. Bujold, Reg. No. 32,018
Customer No. 020210
Davis & Bujold, P.L.L.C.
Fourth Floor
500 North Commercial Street
Manchester NH 03101-1151
Telephone 603-624-9220
Facsimile 603-624-9229
E-mail: patent@davisandbujold.com